



Washington, D.C. 20505

24 May 2006



Reference: F-2006-01043

Dear

The office of the Information and Privacy Coordinator has received your 25 April 2006 Freedom of Information Act (FOIA) request for **an article in the *Studies in Intelligence* publication focusing on CIA intelligence officers Judge John T. Downey and Mr. Richard Fecteau**. We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

We accept your request and will process it according to the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431. We will search for the cited CIA-originated record existing through the date of this acceptance letter.

The large number of FOIA requests CIA receives has created unavoidable delays making it unlikely that we can respond within the 20 working days the FOIA requires. You have the right to consider our honest appraisal as a denial of your request and you may appeal to the Agency Release Panel. A more practical approach would permit us to continue processing your request and respond to you as soon as we can. You will retain your appeal rights and, once you receive the results of our search, can appeal at that time if you wish. We will proceed on that basis unless you object.

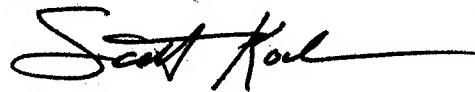
For your information, the FOIA authorizes federal agencies to collect fees for records services. You will note on the enclosed fee schedule that we charge search fees, including computer time where indices are computerized, and copying costs for releasable documents. In accordance with Section (a) of the schedule, search fees are assessable even if no records are found or, if found, we determine that they are not releasable. This means you would be charged even if our search results are negative ~~or if we determine that no~~ information is releasable under the FOIA.

APPROVED FOR RELEASE
DATE: 02-Jun-2009

Based upon the information provided in your letter, we determined that your request would fall into the "all other" fee category, which means that you would be required to pay charges which recover the cost of searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction and the first two hours of search time, which are furnished without charge. Copying costs are assessed at the rate of ten cents per page.

However, since we believe that fees will be minimal, as an act of administrative discretion, no fees will be charged in this instance.

Sincerely,



Scott Koch
Information and Privacy Coordinator

Enclosure



Enclosure:

--Schedule of Fees

Case Manager Note: Since the requester is not technically asking for records concerning his immediate family member, fees would normally be charged. However, case manager has already located the article in question. It is 17 pages in length and appears in the most recently published edition of *Studies in Intelligence* (Vol. 50, No.1, 2006). The article in question deals with the captivity of two CIA officers by Communist China after the shoot down of their plane over Manchuria in 1952.

Therefore, given the limited search time required and the small number of pages to be reviewed, believe it is in the best interest of the Agency to exercise its administrative discretion and not charge fees in this particular instance.